



General Assembly

February Session, 2014

Raised Bill No. 7

LCO No. 269



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT CONCERNING THE USE OF STEP THERAPY FOR AND OFF-LABEL PRESCRIBING OF PRESCRIPTION DRUGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-510 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2015*):

3 [(a)] No [health insurance policy issued on an individual basis,
4 whether issued by an] insurance company, [a] hospital service
5 corporation, [a] medical service corporation, [or a] health care center [,
6 which] or other entity delivering, issuing for delivery, renewing,
7 amending or continuing in this state an individual health insurance
8 policy that provides coverage for prescription drugs may require (1)
9 any person covered under such policy to obtain prescription drugs
10 from a mail order pharmacy as a condition of obtaining benefits for
11 such drugs, (2) any person covered under such policy to use a
12 prescription drug more than once if such drug has previously failed
13 for such person, or (3) the off-label use of a prescription drug for any
14 person covered under such policy unless such use is prescribed by
15 such person's treating health care provider. Nothing in this section

16 shall be construed to limit or prevent a health care provider from
17 prescribing a drug for off-label use.

18 [(b) The provisions of this section shall apply to any such policy
19 delivered, issued for delivery, renewed, amended or continued in this
20 state on or after July 1, 2005.]

21 Sec. 2. Section 38a-544 of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective January 1, 2015*):

23 [(a)] No [medical benefits contract on a group basis, whether issued
24 by an] insurance company, [a] hospital service corporation, [a] medical
25 service corporation, [or a] health care center [, which] or other entity
26 delivering, issuing for delivery, renewing, amending or continuing in
27 this state a group health insurance policy that provides coverage for
28 prescription drugs may require (1) any person covered under such
29 contract to obtain prescription drugs from a mail order pharmacy as a
30 condition of obtaining benefits for such drugs, (2) any person covered
31 under such policy to use a prescription drug more than once if such
32 drug has previously failed for such person, or (3) the off-label use of a
33 prescription drug for any person covered under such policy unless
34 such use is prescribed by such person's treating health care provider.
35 Nothing in this section shall be construed to limit or prevent a health
36 care provider from prescribing a drug for off-label use.

37 [(b) The provisions of this section shall apply to any such medical
38 benefits contract delivered, issued for delivery or renewed in this state
39 on or after July 1, 1989.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2015</i>	38a-510
Sec. 2	<i>January 1, 2015</i>	38a-544

Statement of Purpose:

To regulate the imposition of certain prescription drug utilization requirements on insureds.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]